

Susan E. Coleman (SBN 171832)
E-mail: scolem@bwsllaw.com
BURKE, WILLIAMS & SORESENSEN, LLP
444 South Flower Street, Suite 2400
Los Angeles, CA 90071-2953
Tel: 213.236.0600 Fax: 213.236.2700

Wayne Calabrese
(Admitted Pro Hac Vice)
E-mail: wcalabrese@geogroup.com

Joseph Negron
(Admitted Pro Hac Vice)
E-mail: jnegron@geogroup.com
THE GEO GROUP, INC.
4955 Technology Way
Boca Raton, Florida 33431
Tel: (561) 999-7344 Fax: (561) 999-7647

Attorneys for Defendant
THE GEO GROUP, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE RUBEN HERNANDEZ GOMEZ;
SALESH PRASAD; GUILLERMO MEDINA
REYES; EDGAR SANCHEZ; ADAN
CASTILLO MERINO; IVAN
OLIVA SIERRA; FIDEL GARCIA,
ISAAC CARDONA HERNANDEZ, and
PEDRO JESUS FIGUEROA PADILLA,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

THE GEO GROUP, INC.,
Defendant.

Case No. 1:22-cv-00868-ADA-BAK/EPG

**DECLARATION OF SUSAN E. COLEMAN
IN SUPPORT OF DEFENDANT THE GEO
GROUP, INC.'S MOTION TO STAY**

District Judge Ana de Alba

I, SUSAN E. COLEMAN, declare as follows:

1. I am an attorney licensed to practice law before this Court, and a Partner with the law firm of Burke, Williams & Sorensen, LLP, counsel of record in this matter for Defendant THE GEO GROUP, INC. Unless otherwise stated, the following statements are true of my own personal knowledge, and if called upon to testify, I could and would testify competently thereto.

2. Representatives from GEO's legal team and Plaintiffs' legal team, including myself, met and conferred about the motion to stay on September 19, 2022, by telephone. Plaintiffs would not agree to a stay until after the Ninth Circuit ruling on the *Nwauzor* and *Washington* cases, and would only agree to hold the Rule 26 conference after the oral argument was held (but not the issuance of a ruling). Thus, we declared an impasse and GEO is filing the present Motion to Stay.

3. Attached as Exhibit A is a true and correct copy of Judge Bernal's Order Granting Defendant's Motion to Stay, in the case of Raul Novoa et al. v. The GEO Group, Inc., 5:17-cv-02514-JGB-SHK (Dkt. 561). This Order is subject to judicial notice. Fed. R. Evid. 201(b)(2).

4. Attached as Exhibit B is a true and correct copy of the Ninth Circuit's Order in the *Nwauzor* v. GEO (21-36024) and *State of Washington* v. GEO (2-36025) cases, expediting the calendaring of oral argument in these consolidated matters. This Order is subject to judicial notice. Fed. R. Evid. 201(b)(2).

5. Attached as Exhibit C is a true and correct copy of the Department of Homeland Security Appropriations Bill, 2022 (Report 117-87). This Report is subject to judicial notice. Fed. R. Evid. 201(b)(2).

I declare under penalty of perjury under the laws of California and the United States of America that the foregoing is true and correct.

Executed this 19TH day of September, 2022, at San Diego, California.

/s/ Susan E. Coleman
Susan E. Coleman